

UNIVERSITY OF HAWAII

RG:0012

Environmental Center

Office of the Director

Review of Draft Report of the Temporary Commission on Environmental Planning

Public Meeting
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Statement by Jerry M. Johnson
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A. Adequacy of Proposed Goals and Policies

I believe the intent of the recommended goals and policies is highly commendable. The complexity of today's world with respect to our advanced state of technology, Hawaii's large, mobile and growing human population, the complex, confusing and sometimes overwhelming laws and regulations by which we live, our advanced rate of consumption, disruption and destruction of natural resources and the cultural stresses we have created for ourselves and which we inflict upon the physical environment warrants this undertaking. For only through a comprehensive, systematic, rational and equitable environmental planning process can we democratically preserve and enhance the quality of life in Hawaii for ourselves and our future generations.

I have no specific comments with respect to the adequacy of the goals and policies as I have not identified major deficiencies or conflicts among them. Perhaps others who have reviewed them more carefully than I will have or will. I believe it is important to stress that the goals and policies are merely guidelines which hopefully set the framework for future State and County planning decisions. Thus they have to be comprehensive but should not be so specific as to severely and unfairly constrain State and local agency planning flexibility. For certainly we have to permit sufficient flexibility

to allow for local socio-cultural and environmental differences. I also believe that unless major inadequacies are identified during these hearings it would become a futile academic exercise to try to resolve all differences of opinion about the goals and policies. In actuality many of the questions and concerns with respect to their adequacy of coverage and their administrative utility can only be answered through implementation. On that basis since we cannot foresee all of the ramifications and shortcomings in advance, I would recommend that a formal review and amendment process be built into the implementation phase. Thus after one or two years of agency experience the proposed provision or mechanism would allow needed changes to be made.

A serious concern would be the method of goal and policy^{es} promulgation. They could be promulgated as law through a revision to the State Environmental Quality Act. However, once formally approved by the State Legislature future needed revisions, deletions, and amendments would be difficult to achieve. Seemingly a better method would be the promulgation of State regulations by the Governor's Office of Environmental Quality Control (OEQC). Hawaii Revised Statutes Chapter 341, "Environmental Quality Control" is somewhat vague about the existing legal authority vested in the Director of that Office. Perhaps additional legal authority would be required. An advantage of this alternative, in addition to the greater flexibility with respect to future goal and policy revision, is that OEQC would seem the logical agency to have overall responsibility for implementation of the TCEP's recommendations. Strong coordination, integration and overall supervisory functions would have to be vested in some State agency. These functions would most appropriately come under OEQC. Furthermore a logical and workable linkage would be created between OEQC with respect to implementation, and the Environmental Council, with respect to monitoring and evaluating the success of the environmental quality program.

B. Information Base

The goals and policies recommended by the TCEP need to be tied to land use decision-making through an adequate information base. The information base would need to identify the natural areas, wildlife areas, forests, watersheds, marine areas, unique ecological treasures, scenic historic and cultural areas and structures and open spaces that are to be preserved. The specific areas to be preserved would have to be identified through an open public process. Perhaps the responsibility could be given to this Commission as a second phase of its charge. Once identified, the preserves would, of course, require amendments to the existing State land use districts and to County general plans.

Additional data would have to be provided by the information base. This would include the planning constraints imposed by pollution control laws and regulations and environmental processes, cycles and limitations with respect to development. These constraints would again need to be tied to land use planning. In that way State and County planners would know, in addition to which areas could be developed and what kind of development would be allowed, the environmental quality constraints which would delimit the intensity of development. Within the total framework of development constraints then, State and County planners would be able to select the most appropriate alternative development types, mixes and locations for the best interest of their constituents. The University's Hawaii Environmental Simulation Laboratory (HESL) has been developing just such an environmental information base for the Kaneohe Bay region. Perhaps HESL's present program could be expanded through State support to prepare or assist the Commission or the agency responsible for program implementation in the establishment of the State-wide environmental data base.

C. Role of Government

The role of Government agencies in terms of program implementation needs to be better identified. Of special concern is the rôle of the University and especially the Environmental Center. The

University has a Population Institute and within the School of Public Health a Family Planning and Population Studies Program. Yet the University is not mentioned with respect to Population. The University's HESL program could play a major role with respect to the development of an environmental data base and land use decision-making. Yet the University is not mentioned with respect to Land Use.

A major intent of HRS Chapter 341 "Environmental Quality Control" was to stimulate greater University contribution towards the solution of our State's environmental problems. The Environmental Center was created as the mechanism for stimulating, coordinating and expanding such University involvement in community environmental concerns. Thus it would seem that the role of the University and its Environmental Center needs to be better defined.